

ALLIES GIVE GERMANY TEN DAYS TO YIELD STRIKE FAILS TO TIE UP SHIPS, SAY OWNERS

To-Night's Weather—CLOUDY, COOL.

"10 TO 3"
DAILY WALL STREET
FEATURE THIS EDITION

The Evening World

"Circulation Books Open to All."

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PRICE THREE CENTS

SHIPPING BOARD NOT AFRAID OF GENERAL STRIKE; HARDING STILL SILENT ON MEDIATION

Steamship Managers Say They
Have Signed Crews for
Boats Here.

UNIONS DEFER ACTION.

Men Ordered to Wait Until
Lines Post Notice of
Pay Cut.

Special from a Staff Correspondent of The Evening World.

WASHINGTON, May 2.—Information received here to-day by officials of the United States Shipping Board is causing renewal of confidence that the workers will, for the most part, recognize the exigencies of the situation and accept the new wage basis without a serious tie up of shipping.

No word has come from the White House on the suggestion that the President appoint three mediators to settle the wage controversy. President Harding has indicated, in connection with the other wage disputes, notably those of the railroad workers, his disinclination personally to take a hand until it was clearly shown public welfare required such action.

If the shipping strike can be broken without further Government intervention, it is believed the President will not act on the proposal that he name an arbitration commission. At least he will refuse to do so until the men have returned to work.

At the Shipping Board it was said there are on an average three men waiting to take the place of each striker. It is insisted that the strike is already broken, despite any report to the contrary.

"The strikers have not made a serious dent in our service so far," said one Shipping Board officer to-day. The Shipping Board has no figures on the extent of the walk-out on the private-owned ships.

Information received by long distance telephone from New York is to the effect that the men individually are asking to be retained, and that a sufficient number are being signed up to insure the Government vessels being operated. It is believed any action taken looking toward arbitration will carry with it the proviso that the workers must first repudiate the strike.

OWNERS SIGN UP CREWS FOR SHIPS UNDER WAGE CUT

Report Four Boats Will Sail on
Time To-Morrow—Unions
Delay Strike Call.

Announcement was made this afternoon by the United Fruit Line that the crew of the *Sixola*, which is to sail to-morrow for West Indian and Central American ports, had signed for the voyage before a United States Shipping Commission at the 15 per cent. reduction of wages. The union leaders had counted on tying up the *Sixola*.

The crew of the *Old North Star*, of the United States Mail line, due to sail to-morrow for England, agreed to sign up at the reduced wage scale this afternoon. The *Atmos* line announced that the crew of the *Atmos*, also to sail from this port to-morrow for Cuba, and the crew of the *Manila*, to sail to-morrow from Baltimore, had signed at the reduced wage scale.

Union leaders complain that the engineers signing up at the 15 per cent. reduction are mostly aliens given licenses during the war on their de-

M'GRAW ACQUITTED OF 'DRY' VIOLATION IN FOUR MINUTES

Giants' Manager Says He Does
Not Remember Buying Whiskey
at Lamb's Club.

It took a jury in the Federal Court, before Judge Learned Hand, this afternoon just four minutes to decide that John F. McGraw, manager of the Giants, was not guilty of violating the Volstead Act at the Lamb's Club on the night of Aug. 8 and the following morning last year.

Of the four minutes at least two were occupied walking to and back from the jury room. One of the jurors waved to McGraw as the jury filed out after being discharged. Judge Hand, in addressing the jury, said that the whole thing hinged on whether McGraw bought the whiskey which witnesses testified he drank.

McGraw said that he didn't remember buying any, and that he had given all his money to the scrub-women; so that somebody else must have bought the liquor. He did not say that he didn't drink any. U. S. Marshal Tom McCarthy was called as a character witness for the baseball manager.

McGraw appeared on crutches to attend his trial.

The original indictment which charged him with having a bottle of whiskey in his possession was quashed and an information filed which specified that he had the bottle in the Lamb's Club. The trial went on despite the protest of Attorney William J. Fallon.

McGraw explained that the crutches were necessary on account of a damaged ankle received at a practice game of ball yesterday. His defense will be that he owned the bottle and had bought it before Prohibition went into effect and that the Lamb's Club was his residence at the time.

It took Assistant United States District Attorney Edward H. Reynolds just thirty-five minutes to present his case. Assistant District Attorney Alfred B. Unger, corroborated by John W. Lind, his stenographer, testified to visiting McGraw at his home on Aug. 14 when McGraw told him that he had bought a quart of whiskey from a page in the Lamb's Club, given \$5 each to two scrubwomen, and then bought another quart, giving the page a check for it.

Edwin Micanter, Winfield Leggett and John C. King, members of the Lamb's Club, testified to having seen McGraw and Messrs. Dooley, Boyd, King and Guthrie at a table at which there were two bottles, one labeled Melville and the other Grandad. All had a drink and all thought the contents tasted like whiskey. Some knew who invited him. Mr. Fallon objected to the testimony as to the taste, but the Judge declared that the "taste" was good evidence of the stuff having been whiskey.

LUMBER SHIP BURNED.

The American schooner *C. W. Mills*, bound from Passaic, Miss., for Havana with lumber, was reported last night in a wireless message from the steamship *Agassiz* as on fire off Key West, Fla.

The crew had abandoned the vessel and no trace of them could be found, the message said.

\$50 FOR RINGSIDE SEATS AT BIG FIGHT TO REMAIN PRICE

New Jersey Not in National
Boxing Association and
Doesn't Mind 'Expulsion.'

WAS NEVER QUALIFIED.

Charges Fixed by Tex Rickard
for Dempsey-Carpentier
Bout Unaltered.

TRENTON, N. J., May 2.—New Jersey has never been a member of the National Boxing Association of the United States, said Secretary William H. Truby, of the New Jersey Athletic Commission to-day, in answer to a threat of expulsion from the National organization. The expulsion, therefore, would be idle, he said. Walter H. Leginger, of Milwaukee, President of the National Association, had said that if New Jersey permitted Tex Rickard to charge \$50 each for ringside seats at the Dempsey-Carpentier fight in Jersey City on July 2 next, that State would be expelled from the national organization.

Truby to-day cited the report of the late John S. Smith, President of the New Jersey Athletic Commission, upon his return from the organization meeting of the National Association at New York last January. Smith said that he agreed to ratify the constitution and by-laws of the National Association, provided the ratification were made unanimous by the members attending. The New York delegation held out. Smith said, because the by-laws might be in contravention of New York laws regulating boxing. Commissioner Smith therefore said that New Jersey was not bound by any of the rules of the National Association.

COUDERT'S HOME ON L. I. IS ROBBED

Alleged Thieves With Loot in Boat
Forced to Call Help
in Storm.

Charged with robbery at the summer home of Frederic R. Coudert on Cove Neck Road, Oyster Bay, George Schultz and William Wolinsky are held without bail at Vinuela to await action of the Grand Jury.

They were arrested at 5 o'clock Saturday morning while they were trying to put into Oyster Bay in a rowboat which was heavily loaded with rugs, clocks, silverware and other articles.

Benjamin Seaman, who lives near the Oyster Bay waterfront, heard the cries of Schultz and Wolinsky, who were wearing the landing when a storm came up and the boat shipped water. Seaman called the constable and the two men managed to rescue Schultz and Wolinsky and to save the cargo, some of which spilled but later was recovered.

Investigation showed the Couderts house, about a quarter of a mile from the Roosevelt home on Squamere Hill, had been looted of so much the thieves must have made several trips to carry it away.

AMERICAN IN TENNIS FINALS IN ENGLAND

C. S. Cutting Wins Place by
Defeating Hon. C. N. Bruce in
To-Day's Semi-Finals.

LONDON, May 2.—C. S. Cutting, the American court tennis player, today won the right to meet R. M. Barclay, holder of the British Court Tennis Championship, for the title on Wednesday by defeating the Honorable C. N. Bruce in the final round of the court tennis matches at the Queen's Club. Cutting won in three straight sets, 6-1, 6-4, 6-4.

(Racing Entries on Page 10.)

NEWBERRY WINS IN SUPREME COURT; 16 OTHERS ALSO

Senator's Conviction for Conspiracy
Against Corrupt
Practices Act Is Reversed.

HE CAN TAKE HIS SEAT.

Congress Had No Power to
Regulate Primaries, is the
Decision.

WASHINGTON, May 2.—The conviction of United States Senator Truman H. Newberry in the Federal Courts of Michigan for conspiracy to violate the Federal Corrupt Practices Act was set aside to-day by the Supreme Court.

The conviction of sixteen other defendants also was set aside. The court held that Congress was without power to regulate primaries.

Justice McKenna dissented as to the power of Congress but agreed as to the decision.

Chief Justice White predicted that legislation would come which would set aside to-day's decision as to the power of Congress over primaries, for otherwise "Government cannot live." He called attention to those States in which the primary had been made the controlling feature of the election. In such cases he said "election is stillborn and the vote without power or weight."

Associate Justice Pitney also read an opinion dissenting in part from the court's decision, and announced that Associate Justices Brandeis and Clarke had concurred in the opinion he filed.

"Obviously the Corrupt Practices Act covers also the primaries and other preliminary acts preceding an election," the court said. "The one question here is whether Congress may limit expenditures of a candidate. The source of such power is in Section 4, Article I, of the Constitution. This gives Congress the power of regulating the manner of holding elections and not of elections."

Chief Justice White, in his dissenting opinion, traced in detail the growth of the election system to show that Congress was given the power under the Constitution to regulate Senatorial elections.

"It is essentially a Federal matter, not existing before the Constitution," he said.

DETROIT, Mich., May 2 (City United Press).—Senator Newberry when informed that his sentence had been set aside by the Supreme Court said he was greatly relieved. "I do not wish to make any formal statement," he said after the court's decision had been read. "I am pleased that all my associates and friends have been cleared of this charge that was hanging against them."

The Senator said he would leave soon for Washington to take his seat in the United States Senate.

SINGER LOSES \$12,000 GEMS.

Miss Flinta De Soria Reports 20
Pieces Stolen From Apartment.

Miss Flinta De Soria, a Spanish opera singer, living at No. 256 Riverside Drive, has reported to the police that jewels worth \$12,000 were stolen last night from a jewel box in her bedroom. She said she went out at 8:30 o'clock, and when she returned at 10:30 she found the front door of her apartment unlocked. It had not been jammed.

Miss De Soria believes the thief entered by way of the fire escape. Nothing but jewels, twenty pieces, was taken.

One Rome Embassy Robbed.
ROME, May 2.—Attaches of the American Embassy today found that their office had been burglarized. The safe had been opened and 1,500 lire removed as well as a quantity of stamps. (1,300 lire at the present rate is about \$75.)

SENATOR NEWBERRY, WHOSE CONVICTION IS NOW REVERSED



TRUMAN H. NEWBERRY

"TALL, DARK MAN" TURNS OUT TO BE A SMALL, LIGHT ONE

Elliott Bassett Brown Denies
Story as to Visit to Mrs.
Stokes's Room.

The "tall, dark man" in the Stokes divorce trial, alleged by one of the witnesses for V. E. D. Stokes to have been going into Mrs. Stokes's room, was on the witness stand to-day. He had been identified several days ago as Elliott Bassett Brown, who was for three and a half years roommate at Yale of Victor Moore, Mrs. Stokes's step-son. When he came to the witness chair to-day he was found to be neither tall nor dark, but a slender, light-haired young man of twenty-three. He is now with the Travelers' Insurance Company of Hartford, Conn.

He said that he met Mrs. Stokes in the fall of 1915, the year he entered Yale. Mr. Stokes he met, he said, sometime before 1916 when the former came with "Weedie," his son, to visit Victor Miller.

During his years at Yale, the witness said, he was a frequent visitor at the Stokes's home, seeing Mrs. Stokes about once a month while he was in the Reserve Officers' Training Corps.

Referring specifically to the date on which it has been testified by Anna Brennan, one of the Stokes's maids, that she saw "a tall dark man" going into Mrs. Stokes's bedroom, Bassett said:

Continued on Ninth Page.)

ACCUSE CASHIER OF \$81,000 THEFT

24-Year-Old Paying Teller of Bank
Rose From Office Boy
in 5 Years.

PHILADELPHIA, Pa., May 2.—A shortage of \$81,000 with about \$20,000 of that amount still missing, has been discovered in the accounts of John D'Orazio, twenty-four-year-old paying teller of the American Bank & Trust Company of this city, according to officials of the bank.

D'Orazio has been paying teller of the bank for two years, having advanced from office boy in five years. He is said to have invested the money in railroad stocks and in the stocks and bonds of other banking corporations.

Thomas E. Boyle, President of the American Bank & Trust Company, declared to-day the institution is sound and prosperous, and that indemnity companies have shouldered the burden of the alleged embezzlement.

THIEF TRAP KILLS YOUTH BREAKING INTO ZUKOR HOME

Burglar Sets Off Shot Gun
Commanding Door of
Movie Magnate's House.

ACCOMPLICE ESCAPES.

Robbers Found Before on Es-
tate in Mountains Back
of Nyack.

Special to The Evening World.

NYACK, N. Y., May 2.—Edward Coats of Haverstraw, a young man who had served a term in prison, was killed yesterday evening when he attempted to break into the country home of Adolph Zukor, the moving picture magnate, which is located in a lonely spot on the mountains back of this city. Coats practically killed himself as he set off a shot gun which had been arranged to be fired by the opening of a door.

Mr. Zukor is in Europe and his house is unoccupied. There is a watchman on the property who makes regular rounds every night. About two months ago he surprised two women who were trying to break into the house and drove them away with pistol shots.

Following this incident loaded shot-guns were planted in the house, commanding various doors and windows on the ground floor. The triggers of the guns were connected by strings with the doors and windows.

Two men rode into the Zukor grounds in an automobile at 5 o'clock yesterday afternoon. The watchman had not begun to make his rounds and was at his home near by. The men proceeded to a cellar door on the side of the house away from the road and Coats forced the lock. As he opened the door the gun was discharged and a load of buckshot entered his abdomen.

The wounded man crawled about 100 yards over the lawn and died trying to get into the car. The other man escaped in the woods. Coats's body was found by the watchman, who had heard the shot. Sheriff Merritt and a posse are searching for the second man. Coats was convicted of robbery and sentenced to prison in June, 1918.

STILLMAN HEARING ON WEDNESDAY

Commission Named to Take Testi-
mony of Divorce Witnesses
in Canada.

The taking of testimony in the divorce action of James A. Stillman against Mrs. Anne U. Potter Stillman will be resumed before Surrogate James A. Gleason as referee at the Bar Association on Wednesday morning. The hearing will be secret, according to present plans.

It was given out at White Plains to-day that a special commission had been appointed to go to Three Rivers, Quebec, to examine some of the witnesses and that the lawyers and the referee may go to Canada for the purpose. The witnesses are said to be friends and relatives of Fred Beauvais, the correspondent named by the President of the National City Bank in accusing his wife.

It was not learned when the witnesses would testify who are to be called by Mrs. Stillman to substantiate her charges charging the banker with irregularities with Mrs. Katherine H. Leeds.

Benny Kauf's Trial Thursday.

The trial of Benny Kauf, suspected forger for the Glens, suspended of grand jury, was set by Judge Crane in the Court of General Sessions today (on Thursday) at this week. Kauf is alleged to have stolen an automobile belonging to James P. Brennan No. 745 West End St. N. Y.

ALLIES FRAME TEN-DAY ULTIMATUM TO GERMANY; HUGHES OPPOSES INVASION

Secretary of State Holds Occupation
of Ruhr "Seems Like War"—
British Naval Action If Berlin
Fails to Yield to Terms.

LONDON, May 2.—(Associated Press).—Germany must give within ten days a categorical answer—yes or no—to the Allied reparations demands, or suffer the infliction of military and naval penalties, according to the terms of an ultimatum drawn up by the Allied Foreign Ministers to-day and submitted to the Supreme Council for its approval.

The swift movement of events in the reparations issue between the Allied powers and Germany was shown in this series of developments.

The Allied Foreign Ministers first met and completed the draft of the ultimatum, which provided that Germany should be advised of the Allied terms within four days and then would have six days within which to give an answer, yes or no, without conditions, the negotiations being considered at an end.

A British naval demonstration in the North Sea was stated to be one of the consequences to follow a refusal by the Germans to yield to the Allied demands.

The Supreme Council did not finally act on the ultimatum, but adjourned after an hour's consideration of it until 5 P. M.

Word was received here that M. Jousserand, French Ambassador to Washington, had had an informal talk with Secretary of State Hughes.

Secretary Hughes, the Ambassador reported, said in substance that America did not wish to take any attitude that would irritate the Allied Governments. He hoped he was quoted as adding that military advances, such as an occupation of the Ruhr Valley, would be avoided, as such action seemed like war.

Word from Paris showed that the French military forces were making preliminary moves looking to the occupation of the Ruhr, in anticipation of official quarters there that Germany would not give the guarantee the Allies were expected to demand and that the occupation consequently would have to be carried out, it was indicated the mobilization of 150,000 men of the class of 1919 was imminent.

Premier Briand said this morning it would take twelve days to complete French military preparations. "If at the end of that time Germany has not fully yielded to the Allies," he declared, "the French troops will march."

"I hope we shall not march alone," he added.

France Starts Cavalry and Artillery for the Rhine.

PARIS, May 2.—France started cavalry and artillery for the Rhine to-day. The Fifth Cavalry Division left Meaux. Cavalry batteries stationed at Lyon began the long hike. The 13th Dragoonier clattered out of Melun.

HANDED \$27,500 BACK TO VICTIM

Robbers Take \$35,000 in Securities
From Broker but Keep Only
\$7,500 in Oil Stocks.

UNIONTOWN, Pa., May 2.—Two masked bandits to-day held up an automobile in which Robert B. Graham, a stockbroker, and three others were riding and robbed Graham of \$35,000 in securities. The bandits, after picking out \$7,500 worth of oil stock, returned the remainder to Graham.

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